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Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

Letter dated 24 May 2000 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

Following the statements made by the representatives of Bosnia and Herzegovina, Croatia and Slovenia in the Fifth Committee, I have been instructed by my Government to advise of the following.

The representatives of the three countries have abused the debate in the Fifth Committee on the administrative and budgetary aspects of the financing of the United Nations peacekeeping operations for political purposes and their malicious statements concerning the status of the Federal Republic of Yugoslavia are unfounded and tendentious. Considering that the Fifth Committee is not a forum to discuss the status of a State Member of the United Nations, the statements of the representatives of Bosnia and Herzegovina, Croatia and Slovenia are yet another failed attempt to revise General Assembly resolution 47/1 of 22 September 1992, regulating the participation of the Federal Republic of Yugoslavia in the General Assembly of the United Nations and its subsidiary bodies and conferences organized under their auspices.

Clarifying the practical consequences of the adoption of the aforementioned resolution, the Legal Counsel of the United Nations maintained in his opinion of 29 September 1992 (A/47/485, annex) that the resolution "neither terminates nor suspends Yugoslavia's membership in the Organization", which has become the generally accepted position of the United Nations on the participation of the Federal Republic of Yugoslavia in the work of the General Assembly. The invocation of Security Council resolution 777 (1992) is immaterial as it does not regulate the status of the Federal Republic of Yugoslavia in the General Assembly, which instead is regulated only by General Assembly resolution 47/1.

The position of the General Assembly relative to the continuing membership of the Federal Republic of Yugoslavia in the United Nations has been confirmed on many occasions by resolutions adopted in this organ since the adoption of its resolution 47/1, in particular resolutions 47/229 and 52/215.

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Furthermore, following the admission of Bosnia and Herzegovina, Croatia and Slovenia to the United Nations, the Federal Republic of Yugoslavia continued to participate in the work of, and vote in, the General Assembly and the Economic and Social Council and its subsidiary bodies until 22 September 1992 and 29 April 1993, respectively.

The General Assembly has regularly assessed the Federal Republic of Yugoslavia its annual contributions to the regular budget of the United Nations (1998: 0.060; 1999: 0.034; and 2000: 0.026), while the Secretary-General and the Secretariat of the United Nations continue to communicate with the Federal Republic of Yugoslavia as with any other State Member of the United Nations.

All documents and written communications of the Federal Republic of Yugoslavia with the Security Council and the General Assembly and its subsidiary bodies and United Nations specialized agencies are issued and circulated as documents of the United Nations.

In the agreements on normalization of relations with the Federal Republic of Yugoslavia that Macedonia and Croatia signed on 8 April 1996 and 23 August 1996, respectively, and in the Joint Declaration that the President of Bosnia and Herzegovina signed in Paris on 3 October 1996, the three States accepted the State continuity of the Federal Republic of Yugoslavia, i.e., that the Federal Republic of Yugoslavia is a State of continuity and not a new State.

Finally, following the adoption of the Constitution of the Federal Republic of Yugoslavia on 27 April 1992 and the declaration made on that occasion by its Parliament to the effect that the Federal Republic of Yugoslavia would continue the international legal and political personality of the Socialist Federal Republic of Yugoslavia and the subsequent notification thereof to the Secretary-General of the United Nations and all its Member States, none of them objected to the claim contained in the declaration notwithstanding the relevant practice of international law that such objections, if any, be made immediately.

In taking issue with the highly politically motivated attempts to question the status of my country in the world Organization, I would like to recall that, despite the fact that it has been unjustly denied full participation in the work of the General Assembly and the Economic and Social Council and that it is faced with a very difficult economic situation caused by years-long economic sanctions and the aggression of the North Atlantic Treaty Organization last year, the Federal Republic of Yugoslavia has heeded all calls you have addressed to the United Nations Member States and, whenever able to afford it, paid its contributions to the regular budget of the United Nations and carried out scrupulously all other obligations stemming from its membership in the United Nations and other international organizations. The contention that the status of the Federal Republic of Yugoslavia in the United Nations is linked with, and contingent upon, the solution of the issues of the succession of the previous Socialist Federal Republic of Yugoslavia is unfounded and aimed at confusing the States Members of the world Organization. The status of the Federal Republic of Yugoslavia should be solved in accordance with the Charter and the relevant rules of the United Nations, while the succession issues, i.e., the division of the assets and liabilities of the previous Socialist Federal Republic of Yugoslavia are the subject of a negotiation conducted between the Federal Republic of Yugoslavia and the former Yugoslav republics, turned independent States, in which all participants are equal and which, on the basis of an

agreement based on the principles of international law, should lead to solutions acceptable to all.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 151.

(*Signed*) Vladislav **Jovanovic**
Chargé d'affaires a.i.